

REMARKS

The application has been carefully reviewed in light of the Office Action dated October 20, 2008. Claims 41 to 53 are in the application, with Claims 41, 46, 52 and 53 being independent. Claims 52 and 53 have been newly-added, and Claims 41, 43, 45 to 48 and 50 have been amended. Reconsideration and further examination are respectfully requested.

In the Office Action, Claims 41 to 51 were rejected under 35 U.S.C. § 103(a) over U.S. Patent Application Publication No. 2004/0227977 (Yoshida) in view of U.S. Patent No. 7,345,798 (Kondo), and further in view of U.S. Patent No. 6,204,940 (Lin). This rejection is respectfully traversed.

Without conceding the propriety of the rejection, Applicant submits herewith a sworn translation of Japanese Patent Application No. 2003-028668, from which the present application claims priority under 35 U.S.C. § 119. In accordance with MPEP § 201.15, the Examiner is requested to confirm that Applicant is entitled to their February 5, 2003 priority date. Once the Examiner makes such a determination, the Examiner is respectfully requested to remove Yoshida, filed August 28, 2003 as a reference against the subject application. Yoshida having been so removed as a reference, the foregoing § 103(a) rejection is believed to be obviated.

In view of the foregoing, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/John D. Magluyan/
John D. Magluyan
Attorney for Applicant
Registration No.: 56,867

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

FCIS_WS 2782446v1